

AMENDED IN ASSEMBLY APRIL 11, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 1285

Introduced by Assembly Member Montanez

February 22, 2005

An act to amend Section 8279.7 of the Education Code, relating to child care, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1285, as amended, Montanez. Child care services.:

~~Existing law declares the intent of the Legislature to assist counties in improving the retention of qualified child care employees working directly with children who receive state-subsidized child care services.~~

~~This bill would declare the further intent of the Legislature to enact legislation addressing the unique challenges of child care services in Los Angeles County.~~

Existing law requires that moneys in a specified item of the Budget Act of 2000 be allocated to local child care and development planning councils based on the percentage of state-subsidized, center-based child care funds received in that county, and requires that these funds be used to address the retention of qualified child care employees in state-subsidized child care centers. Existing law would authorize the allocation of these funds annually thereafter for these purposes.

This bill would make an appropriation by authorizing these funds to be used in Los Angeles County to address the retention of qualified persons working in licensed child care programs, including, but not limited to, family day care homes, as defined, and would authorize the allocation of these funds annually thereafter for this purposes.

This bill would make legislative findings and declarations regarding the need for special legislation.

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~
yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 8279.7 of the Education Code is
2 amended to read:

3 8279.7. (a) The Legislature recognizes the importance of
4 providing quality child care services. It is, therefore, the intent of
5 the Legislature to assist counties in improving the retention of
6 qualified child care employees who work directly with children
7 who receive state-subsidized child care services. ~~It is further the~~
8 ~~intent of the Legislature to enact legislation addressing the~~
9 ~~unique challenges of Los Angeles County, where an estimated~~
10 ~~60,000 low-income children receive subsidized child care in~~
11 ~~nonstate-funded child care settings and an additional 50,000~~
12 ~~eligible children are waiting for subsidized services.~~

13 (b) The funds appropriated for the purposes of this section by
14 paragraph (11) of Schedule (b) of Item 6110-196-0001 of Section
15 2.00 of the Budget Act of 2000 (Ch. 52, Stats. 2000), and that are
16 described in subdivision (i) of Provision 7 of that item, shall be
17 allocated to local child care and development planning councils
18 based on the percentage of state-subsidized, center-based child
19 care funds received in that county, and shall be used to address
20 the retention of qualified child care employees in state-subsidized
21 child care centers. *In the County of Los Angeles, these funds may*
22 *also be used to address the retention of qualified persons*
23 *working in licensed child care programs, including, but not*
24 *limited to, family day care homes as defined in Section 1596.78*
25 *of the Health and Safety Code.* Additionally, funds may be
26 allocated annually thereafter for these purposes.

27 (c) The department shall develop guidelines for use by local
28 child care and development planning councils in developing
29 county plans for the expenditure of funds allocated pursuant to
30 this section. These guidelines shall be consistent with the
31 department's assessment of the current needs of the subsidized
32 child care workforce, and shall be subject to the approval of the
33 Secretary for Education and the Department of Finance. Any
34 county plan developed pursuant to these guidelines shall be

1 approved by the department prior to the allocation of funds to the
2 local child care and development planning council.

3 (d) Funds provided to a county for the purposes of this section
4 shall be used in accordance with the plan approved pursuant to
5 subdivision (c). A county with an approved plan may retain up to
6 1 percent of the county's total allocation made pursuant to this
7 section for reimbursement of administrative expenses associated
8 with the planning process.

9 (e) The Superintendent of Public Instruction shall provide an
10 annual report, no later than April 10 of each year, to the
11 Legislature, the Secretary for Education, the Department of
12 Finance, and the Governor that includes, but is not limited to, a
13 summary of the distribution of the funds by county and a
14 description of the use of the funds.

15 *SEC. 2. Due to the unique circumstances concerning the*
16 *County of Los Angeles, the Legislature finds and declares that a*
17 *general statute cannot be made applicable within the meaning of*
18 *Section 16 of Article IV of the Constitution. Therefore, this act is*
19 *necessarily applicable only to the County of Los Angeles.*